

FORM TO BE USED BY A PRISONER IN FILING A CIVIL RIGHTS COMPLAINT

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

(1) Garter Kiki Brown
(Name of Plaintiff) (Inmate Number)

1100 Pike St Huntington PA 16654
(Address)

(2) _____
(Name of Plaintiff) (Inmate Number)

(Address)

(Each named party must be numbered,
and all names must be printed or typed)

vs.

3:19-cv-79

(Case Number)

CIVIL COMPLAINT

(1) Paula Price, PA. King

(2) PA. Danzell, Dr. Kellman

(3) Nurse True, Nurse Nikole E-migh
(Names of Defendants)

FILED
SCRANTON

JAN 14 2019

PER g
DEPUTY CLERK

(Each named party must be numbered,
and all names must be printed or typed)

TO BE FILED UNDER: 42 U.S.C. § 1983 - STATE OFFICIALS

42 U.S.C. § 1331 - FEDERAL OFFICIALS

I. PREVIOUS LAWSUITS

- A. If you have filed any other lawsuits in federal court while a prisoner, please list the caption and case number including year, as well as the name of the judicial officer to whom it was assigned:

W/H

II. EXHAUSTION OF ADMINISTRATIVE REMEDIES

In order to proceed in federal court, you must fully exhaust any available administrative remedies as to each ground on which you request action.

A. Is there a prisoner grievance procedure available at your present institution? Yes _____ No _____

B. Have you fully exhausted your available administrative remedies regarding each of your present claims? Yes _____ No _____

C. If your answer to "B" is Yes:

1. What steps did you take? Initial Review response was upheld in part & Deny in part but at the same time our right denied which was obfuscating facility manager upheld response & grievance was send to the Bureau of health services in which was denied

2. What was the result? _____ ↑

D. If your answer to "B" is No, explain why not: _____

III. DEFENDANTS Nurse Ethelmae, unknown

(1) Name of first defendant: Paula Pike, Doctor Kollman

Employed as Health care Administrator & Doctor at SCT Huntington

Mailing address: 1100 Pike St. Huntington PA 16654

(2) Name of second defendant: Nurse Trice & P.A. Danzell

Employed as A Nurse & A Physician Assistant at SCT Huntington

Mailing address: 1106 Pike St. Huntington PA 16654

(3) Name of third defendant: P.A. Kuny

Employed as P.A. at SCT Huntington

Mailing address: 1100 Pike St. Huntington PA 16654

(List any additional defendants, their employment, and addresses on extra sheets if necessary)

IV. STATEMENT OF CLAIM

(State here as briefly as possible the facts of your case. Describe how each defendant is involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. Attach no more than three extra sheets if necessary.)

1.

See Two Page Attachment

2.

3.

V. RELIEF

(State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.)

1.

See Two Page Attachment

2.

3.

1) Plaintiff is suing all defendants under the medical statute 93.12 or provision amended under section 3(b) of the Prison Medical Services Act (61 P.S. § 1713(b)) Brown is claiming defendants actions were contradicting 93.12 Prison Medical Services program. Plaintiff is bringing Eighth Amendment claims under cruel and unusual punishment against Nurse Nikie Enigh, Nurse Trice, P.A. Danzell, P.A. King, Paula Price, and Doctor Kollman; in which these defendants were deliberate indifference to his serious medical needs. Plaintiff is also bringing "Substantial due Process claims under the Fourteenth Amendment" against all defendants for deprivation of medical treatment. Plaintiff also brings state law claims of "Negligence" and "Intentional Infliction of Emotional Distress" against all defendants.

Brown is seeking \$150,000 each defendant in compensatory damages, \$125,000 in punitive damages. Grant such other relief as it may appear that Plaintiff is entitled to. Plaintiff is suing all defendants in their official and individual capacity. This court has jurisdiction over Plaintiff's federal claims under 42 U.S.C. 1231(a) and 1243. This court has supplemental jurisdiction over Plaintiff's state law claims under 28 U.S.C. 1337.

Although Nurse Nikie Enigh no longer works at SCI Huntingdon, during the time of Brown's claims she was employed at SCI Huntingdon. Nurse Trice currently works at SCI Huntingdon and was working at SCI Huntingdon during the time of Brown's claims. P.A. Danzell who was addressed in Brown's grievance as P.A. Enigh currently works at SCI Huntingdon and was working at SCI Huntingdon during the constitutional violation in which Brown is claiming. Brown is unaware if P.A. King stills work at SCI Huntingdon; P.A. King was employed at SCI Huntingdon during the time of Brown's claims. Paula Price is currently the Health Care Administrator at SCI Huntingdon and was the administrator during the time of Brown's claims. Dr. Kollman is a doctor that works at SCI Huntingdon.

Plaintiff Garter Kiki Brown is currently incarcerated at SCI Huntingdon; and was incarcerated at SCI Huntingdon in which he was housed in the RTU on G-unit A block and C-block during the time of the events described. Around 2/13/10 in the middle of the night Brown met with Nurse Trice in a dark room in the RTU. Plaintiff asserted to this nurse that officials had been depriving him of sick calls and he was a victim of multiple sexual assaults and assaults at the hand of his cell mate Alton. Plaintiff told Nurse Trice in details what had happened. She would state "o your the guy that was also rape at Camp Hill?" Brown would predicate he was in excruciating pain and his symptoms was as such, Bruises in and around the anal, Neuritis Pain through out his body, Inflammation of the ankle and knee, swelling around the nose in which made it hard to breathe, Chronic back and neck pain, Severe pain in hip and thigh, Abdominal pain, also hit bomb on his head and numbness along the left side of his head, pain in and around his ribs running through his side, intense Groin pain, abrasion in the eye also causing double vision. Trice did not evaluate brown and told him he would be seen the next day being that it was so late.

The next day Brown was called to a cafe in which he met with Nurse Nikie Enigh, Plaintiff told Nurse Nikie in detail what had happened to him in which he remember she was the first nurse he had encounter when he came from Camp Hill in which she had fail to see any of his injuries months prior. Plaintiff told Enigh he was in excruciating pain, and that Nurse Trice had done nothing for him. He told Enigh the same symptoms as he asserted to Nurse Enigh. Nurse Enigh would only take picture, fail to evaluate Brown, telling him he will need a court order to see a specialist or get any treatment, she also told Brown she was told by Miss Price to only take pictures and tell her that Brown had a lot of law since they did not want to get involve.

After failing out multiple sick calls, Brown would meet with P.A. Danzell through his cell door and P.A. King. Brown was shaking up and reluctant to tell both defendants his symptoms through the door because he was subject to serious harassment from other inmates, in which they would beat up his cell mate and threaten plaintiff with harm for telling. Plaintiff would tell both P.A. King and Danzell his own symptoms through the door again those officials would tell Brown there was nothing they could do for him and that they would have to talk to Price, Brown would not even see these medical officials looking out of his symptoms. Both official fail to evaluate Brown.

2) Brown would later meet with Kyle Kollman and Price telling each defendant individually his symptoms was worsening asserting that his groin pain, and sciatic pain in his hip and thigh made it hard to walk. He also predicated that he was bleeding from the cuts at no time did Brown receive a "stick man" even though cut a later viewing of his medical records shows that P.A. King loosed him refusing. Plaintiff told all three defendants that the numbness on the left side of his head would not go away at no time did these defendants take the time to evaluate Brown or treat his head injuries or other injuries.

Plaintiff would also predicate that his chronic back and neck pain was causing him sleepless nights forcing him to cry to sleep. At no time did defendants address plaintiff swelling nose, ribs pain, abrasion in the eye causing double vision and at no time was plaintiff diagnose base on the symptom that was apparent in which he also predicated. Defendants Price and Kollman would tell Brown that did not fugit to get enrope because he see a lot of people. Plaintiff was right out deprived medical treatment, and any pain medication by defendants, that would cause him excruciating pain and his injuries to worsen. Brown would later meet with nurse Nihde and Nurse Trice and Danzell through his cell door, but his cry would be ignored.

They would also tell Plaintiff the only way your leaving out of here to see any Specialist is by obtaining a court order. Plaintiff sick calls once he got his hand on same could also be ignored. On one occasion Brown could see Nurse Trice hand a C/O or Prison guard his sick call as she was walking through the door leaving the block. Defendants would also stop checking the sick call box. Plaintiff is claiming although he seen Doctor Kollman and Mrs Price they did not provide him care. At no time did defendants propose any medical treatment or at no time was Brown under any course of treatment by defendants. Brown is claiming defendants indifference caused him inexcusable pain irritation and deform in healing, nasty scars and permanent disability or loss of function. Brown is unable to sit and watch T.V with out feeling intense sharp pain for starters Brown is unable to climb stairs without experiencing sciatic and yet to go away, Brown is unable to climb stairs without experiencing sciatic and neurological pain in his hip thigh and a rock area Brown is unable to walk fast, lift his leg bent his knees or even run because of impairment. Brown still has double vision from astigmatism or a mark in the lens of his eye also causing poor sight.

Brown also suffered mental and emotional injuries causing phobia and symptoms of depression. Brown is asserting defendants action caused his cruel and unusual punishment in violating his Eighth Amendment rights. Plaintiff is also claiming his due process was also violated by all defendants in which they intentionally inflicted pain on him by denying reasonable requests for medical treatment, thereby exposing him to undue suffering. Defendant Price, Kollman, Danzell, Trice, Lewis & King was clearly negligent in actions; they had a breach of a legally recognized duty or obligation in which is giving adequate medical treatment to an inmate with serious injuries they fail to conduct such duty in which there is a causal connection to Brown suffering damages. Lastly Brown is claiming all this caused him emotional distress and depression. Brown is claiming his injuries or symptoms are very serious and defendants actions was out right "cruel and unusual in depriving him treatment."

I declare under Penalty of Perjury that the foregoing is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 12 day of Jan, 2019.


(Signature of Plaintiff)

Name Garter Brown
Number W46401
1100 Pike Street
Huntingdon, PA 16654-1112

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